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ANALYSIS OF MAQOSHID SYARIAH ON CASH ON DELIVERY (COD) SYSTEM AT SHOPEE INDONESIA MARKETPLACE

Indonesia is experiencing very rapid development, with a variety of modern payment systems that are widely used among the public. One of them is COD at Shopee. The rise in cases that occurred was caused by buyers misusing the COD system which resulted in several parties, namely couriers and sellers feeling disadvantaged, besides that the COD system at Shopee is a method that is easy, safe, and practical to use, about this problem raises various questions and the author's goal is Islamic views on the use of COD on Shopee, the maqoshid syariah perspective on COD. This type of research is field research, with qualitative methods producing descriptive data. Research results are Practice COD on Shopee contains practical, and efficient. This COD can be supported by maqoshid sharia because of the convenience in the mechanism which also reaches the Hujjiyat element if it is not implemented it difficulties and is included in the Hifdhu Mall.

Key words: Shopee, Market, COD, Maqoshid sharia.

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Shopee индонезиялық нарықта қолма-қол ақшамен жеткізу (COD) жүйесі бойынша макашид сирияны талдау

Индонезия өте қарқынды дамуда және онда халық арасында кеңінен қолданылатын көптеген заманауи төлем жүйелері бар. Олардың бірі-Shopee-дегі COD. Болған жағдайлардың көбеюі сатып алушылардың COD жүйесін дұрыс пайдаланбауынан туындады, бұл бірнеше тараптарды, атап айтқанда курьерлер мен сатушыларды қысымға ұшыратты, сонымен қатар Shopee-дегі COD жүйесі қарапайым, қауіпсіз және қолдануға ыңғайлы әдіс болып табылады, осы мәселеге байланысты әртүрлі мәселелер туындайды сұрақтар және автордың мақсаты COD-ді Shopee-де қолдануға исламдық көзқарас, cod-дағы сиариаттық перспективаның мақсиді. Зерттеудің бұл түрі сипаттамалық мәліметтерді беретін сапалы әдістермен далалық болып табылады. Зерттеу нәтижелері-Shopee-дегі COD тәжірибесі практикалық және тиімді тәсілді қамтиды. Бұл тресканы макашид шариғат қолдауы мүмкін, өйткені ол Худжаят элементіне қол жеткізеді, егер ол іске асырылмаса және Hifdhu сауда орталығына енгізілсе. Shopee-де қолма-қол төлемді әрбір қоғам өкілі қол жетімді интернет-дүкенді қарап, төлем жүйесін қолма-қол ақшамен іске қосу арқылы пайдалана алады, содан кейін Сатып алушы сатып алатын нәрсеге тапсырыс бере алады, сатып алушының қолма-қол тапсырысы межелі жерге жеткізіледі.

Түйін сөздер: Shopee, базар, COD, макашид шариат.

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Анализ макашида сирии по системе доставки наличными (COD) на индонезийском рынке Shopee

Индонезия переживает очень бурное развитие, и в ней существует множество современных платежных систем, которые широко используются среди населения. Одной из них является COD в Shopee. Рост числа случаев, которые произошли, был вызван тем, что покупатели неправильно использовали систему COD, в результате чего несколько сторон, а именно курьеры и продавцы, чувствовали себя ущемленными, кроме того, система COD в Shopee является методом, который

прост, безопасен и практичен в использовании, в связи с этой проблемой возникают различные вопросы, и целью автора является исламский взгляд на использование COD в Shopee, макошид сиариатской перспективы на COD. Данный тип исследования является полевым, с качественными методами, дающими описательные данные. Результаты исследования – практика COD на Shopee содержит практический и эффективный подход. Эта треска может быть поддержана макошидом шариатом из-за удобства в механизме, который также достигает элемента Худжият, если он не реализован, и включен в торговый центр Hifdhu. Оплата наложенным платежом в Shopee может быть использована каждым представителем общественности, просмотрев интернет-магазин, который нужно посетить, активировав платежную систему наложенным платежом, затем покупатель может заказать то, что он купит, заказ покупателя наложенным платежом будет доставлен в пункт назначения.

Ключевые слова: Shopee, рынок, COD, макошидский шариат.

Introduction

The developments that occur in the field of information technology are amazing (Nugroho Sumarjiyanto, 2022). The increasing number of internet users is one of the reasons for the opening of online transactions (Handayani, 2021). Recent advances in technology have broadened the definition of e-commerce to include other types of activities, such as marketing, selling, purchasing, delivering, and servicing goods and services via the Internet or other networks (Pencarelli T, 2018).

Online payments are no stranger to hearing, with the increasingly improved service and trust provided by online payment actors. More and more people are using this service, with the convenience of cash on delivery payments. To advance a business in an e-commerce, it must be able to compete in improving its services, one of which is the Cash On Delivery payment method. The use of the cash on delivery service method in e-commerce is increasingly in demand, because it is safe and offers a variety of benefits for buyers (Asnawi, 2008).

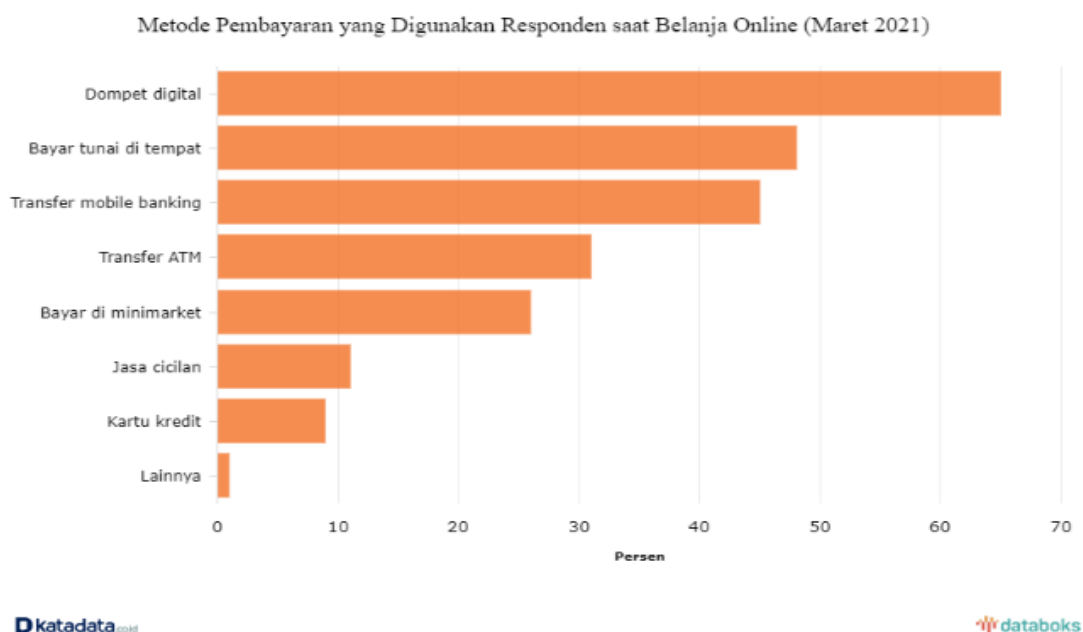


Figure 1 – Payment Method used by Respondents when Shopping Online (March 2021)

Note – iPrice, 21 July 2020

Online sales are one type of buying and selling transactions that use internet media in selling (Son, 2019). Currently, online sales are one form of transaction type that is widely used in buying and selling, the use of the internet is chosen by many people because of the convenience that the internet has (Dian Wirdasari, 2009). Based on a survey by the Central Statistics Agency (BPS) entitled 'E-commerce Statistics 2022, it was revealed that e-commerce, with 83.11% in almost all business fields, prefers to use the Cash on Delivery method (Rachman, 2022).

However, there may be many cases that have occurred that have harmed one of the parties, both the consumer and the seller, or the courier, such as the cases that have occurred due to COD because the goods do not match what the buyer ordered problem between the courier and the buyer. In the system that should be in the COD marketplace Shopee, couriers are not responsible for the non-conformance of goods when making transactions, this is the main factor for the harm that occurs in the COD system on the Shopee Marketplace. The Cash on delivery system on the Shopee marketplace is different from the usual COD, where the seller sends the buyer's order via a courier service and the buyer pays for the order to the courier.

Several cases occurred, namely the buyer forced the courier to replace or exchange the item and did not want to pay for it, and the courier was threatened by the seller, even though with the COD Shopee system the courier is only tasked with delivering the goods that have been ordered by the buyer without knowing what the buyer ordered, this makes the courier feel disadvantaged by the buyer who does not want to pay for what the buyer ordered, because the goods do not match With the specifications of the goods listed, a problem arises in which the buyer feels disappointed with the goods and causes

dissatisfaction due to the imperfection of the goods and a decrease in the quality of the goods, which results in the buyer not being able to cancel this contract. (Https://Id.Theasianparent.Com/Cara-Tarik-Tunai-Tanpa-Kartu, 2022)

It can be concluded that a system that has developed over time has made everything look practical and can ease human work, provided that it does not depart from the Islamic teachings in that system. considering the prevalence of COD system users on the Shopee marketplace, and from the explanation above, the authors consider it important to do further research related to COD on the Shopee Marketplace according to Maqoshid Syariah, with the title: "Cash on Delivery (COD) on the Shopee Marketplace from the perspective of Al-Maqoshid Syariah"

Methodology

This type of research is field research (field research), which is a research conducted systematically that combines existing data in the field, with qualitative methods, which produce descriptive data, researchers collect data through observation, interviews, documentation from research sites, books relevant information, the Shopee website and accurate data. With the object of research on online shops at shop using the COD system, couriers, and buyers using the COD system.

Cash on delivery

Cash on delivery is a payment system that is made directly on the spot, after the order from the courier through the marketplace has been received by the buyer. COD is here to be able to reach people who don't have a bank account and to minimize fraudulent practices that often occur(Barkatullah, 2017).

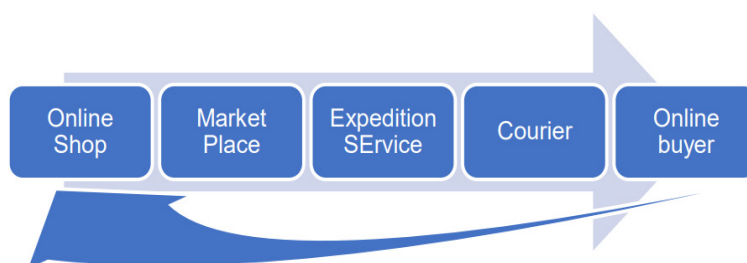


Figure 1 – Flow in Transactions with the COD Method
Source: (Maisyura et al., 2022)

Basically the COD transaction system offers payments that are handed over by the courier to the buyer after the buyer pays for the goods that have been purchased, and there are 4 parties involved in this transaction (Nabil Abduh Aqil, 2022), that is:

1. The seller (shop owner in the market place) is the party that offers goods in the market place. The seller is obliged to provide detailed, clear and correct information on the goods being sold.

2. Buyer. Buyers are parties who buy goods from sellers through the available marketplace. The buyer has the right to pay for the order ordered and return the goods ordered to the seller if they do not match the information provided to the seller.

3. Marketplace, is an internet-based online media platform that acts as a facilitator for conducting business activities and transactions between buyers and sellers.

4. Goods delivery service providers or couriers, goods delivery service providers are third parties in e-commerce whose job is to deliver goods to buyers that have previously been ordered to sellers through the marketplace.

The concept of Maqoshid Sharia

In the Arabic dictionary maqoshid comes from the root word qashd (qasada). Maqoshid is a word that means (plural), while the abstract form is (maq-sud) which means a goal or purpose (Hasan, 2004). The concept of maqoshid al-sharia is a theory of legal istinbat by making the aim of establishing syara' law as its reference, which in this case is maslahah (Nasuka, 2017).

Abdul Malik Al Juwani was the initial initiator of the theory of Maqashid, then developed by Al-Gazali in 505 H and continued by As-Syatibi in 790 H with the theory of al masaalih al ammah or public interest, and developed later into the theory of al-maslahah mursalah or a unrestricted interest in the collaboration of maqoshid (Nurnazli, 2014).

According to Moh Nasuka, Abdul Wahab Khalaf said that understanding and understanding about maqoshid al-shariah can be used as a tool in understanding the Qur'an and Sunnah, and assisting in resolving conflicting arguments and to establish a law in a case where the provisions the law is not stated in the Qur'an and Sunnah when using semantic studies (Nasuka, 2017).

Maqoshid sharia, in the opinion of Abu Zahrah, stated that the aim was to derive maqoshid sharia, namely:

1. As education for each individual.
2. Upholding justice means being fair to all parties without discriminating between religions.

3. Producing benefit (jalb al maslahah), that is related to the public interest, does not focus on certain groups, this is based on the protection of five things, namely: religion, soul, mind, lineage and throne (Wahyuni, 2020).

Maqoshid sharia is a way to fulfill the 3 stages of human needs, namely Primer needs (Dharuriyyah), secondary needs (Hajiyyah), tertiary needs (Tah-siniyyah). The term maqoshid was popularized by Ash-Syatibi who wrote in his work muwafaqot as in Bakri's expression:

«in fact this Shari'a (created) to reinforce the goals of the Shari'a itself to uphold the benefit in religion and the world simultaneously».

Maqoshid syariah is a matter of principle for Muslims, therefore it is a necessity in every step, decision or action of a Muslim that is following the basic objectives of establishing maqoshid sharia, the core of establishing maqoshid sharia itself is Maslahah Al-Kulliyyah (Maftukhatusolikhah, 2020).

According to Febriadi, the purpose of syar'i is that Allah created the Shari'a to realize good (maslahat) for servants and reject the bad (mafsadah) that befalls them. By that, it can also be interpreted that the legal rules that Allah determines are only for the benefit of humans themselves. As-Syatibi then divides this benefit into three important parts, namely dharuriyat, hajiyyat, tahsiniyat.

1. Ad-dharuriyat, namely something that must exist for the sake of the realization of the benefit of religion and the world. If this is not there, it will cause damage and even loss of life and lives such as eating, drinking, praying, fasting, and other acts of worship. (Wahyuni, 2020)

2. There are five maslahat or maqashid dharuriyyat, namely, religion (al-din), soul (an-nafs), ancestry (an-nasl), wealth (al-mal), reason (al-aql). (Sandy Rizki Febriadi, 2017)

a. In terms of the existence of min nahiyati al-wuju, that is by keeping and maintaining things that can perpetuate their existence.

b. In terms of non-existence, min nahiyati al adam, namely by preventing the things that cause its absence.

3. Al hajiyyat, that is something that should exist so that in implementing it freely and avoid difficulties. If this something does not exist, then it will not cause damage or death but will result in socialization and narrowness. For example, in matters of worship, there are rukhsah, congregational prayers and qashar for travelers. In muamalah Shari'a that allows buying and selling there are exceptions to the general rules of buying and selling, such as greetings, ijarah, and others.

4. At tahsiniyat, namely something that should exist for the sake of conformity with good morals or with custom. If something is not there, then there will be no damage or if something is missing it will not cause any difficulties in implementing it. Among the examples are thaharah, covering the genitals with clean and nice clothes, and the prohibition of israf, how to eat and drink properly. This condition is a complementary condition of human life, so humans feel the comfort of life.

Results and Analysis

The background that makes the COD system at Shopee experience several obstacles or problems is that sometimes buyers do not understand the COD system which has several provisions or rules, in essence the courier's job is only as a sender of goods or orders, not responsible for the buyer's mismatch in purchasing an item that has been ordered, there are also many cases where the courier immediately returns the order because the buyer is not at home or place, so the courier returns the ordered item to the office which then the office notifies the seller that the item is returned by the buyer.

This phenomenon requires an in-depth study in order to determine a real masalah, as a legal proposition which needs to be considered between masalah and mafsadatnya as sellers, buyers, and couriers in this COD transaction. The author uses masalah mursalah as a knife to analyze this research because this incident or phenomenon does not exist in the Al-Quran and Hadith in Tafsilly or in depth and in order to be flexible without having to lose the spirit of sharia and not leave the nashya, as a form of Islam rahmatil lil alamin.

The many conveniences offered by online shopping are proof that online shopping is in demand by some people who feel the convenience and comfort, one of which is the Cash on Delivery payment method. Nowadays, Shopee is the most popular e-commerce in Indonesia, because its services are classified as satisfying consumers with the free shipping program, the selection of expeditions, and several choices of payment methods such as cash on delivery. However, not all of these payment systems can be made by sellers. Payments using the cash on delivery system can only be made by sellers who activate the cash on delivery service on the Shopee marketplace.

Al muamalah activities are permitted in Islamic Law unless there is an argument that prohibits it: «The law of origin in muamalah is a boehan until there is an argument that shows its prohibition» (Dzajuli, 2007).

Ulama emphasized that Islamic law was created for the realization of human benefit in this world and the hereafter. Some benefits are primary, secondary, and some are tresier, as stated by Imam Al-Ghazali and Syatibi. According to Imam Syatibi, the task of sharia is oriented towards the realization of human goals which consist of these 3 parts. Which means something that must exist to realize the benefit of religion and the world. If something is missing, it will be difficult for human benefit to materialize which will cause damage, chaos and destruction (Ramli, 2016).

Not all marketplaces can offer the cash on delivery method, which is available for all cities in Indonesia, this can be done by Shopee because Shopee has collaborated with logistics which allows Shopee users to pay when the goods arrive in the hands of consumers. This cash on delivery method really helps consumers or buyers who don't have a balance at an ATM or buyers who are far from Shopee payment merchants such as Indomart and Alfamart.

From the explanation above, it can be related to the review of Maqoshid sharia, which is part of Islamic tasawur, what this tasawur means is a perspective, picture or mental attitude towards everything based on Islamic values. An understanding of a matter that includes the aspect of monotheism towards God as a lover and humans as servants and caliphs of Allah which is built from the evidence of reason (aqli) and evidence (naqli). Maqoshid sharia will continue to develop according to the challenges of its time, to meet human needs that are always developing in technology as well as innovative and dynamic human needs. (Siska Lis Sulistiani, 2018).

According to Islamic law, buying and selling using the Cash on delivery payment system is a payment activity that makes it easier for people to transact in cash, and in muamalah Allah gives freedom to his servants to innovate in buying and selling, as long as it does not conflict with syara', namely avoiding gharar maysir, usury and by what is already in the pillars and conditions in buying and selling. In this COD, the contract used is a salam sale and purchase contract, in which the seller orders goods with the buyer, then the buyer sends the order within a certain period, and the money is paid in cash after the order is made. the difference between buying and selling greetings and COD is if COD is through a courier intermediary and the money to be paid is received by the courier and does not pay directly when ordering an item. The following is a comparison of the pros and cons of using the COD system at Shopee for sellers, buyers and couriers:

Maqosid Syariah COD System at Shopee	Disadvantages of the COD System at Shopee
<ol style="list-style-type: none"> 1. Simplify payments because you don't need to top up at the bank first 2. Anticipate if there is fraud at the store 3. It can be used in remote places, affordable. 4. Guarded or guaranteed, fosters a sense of security. 5. Avoid doubts about buyers. 6. For all groups, without discriminating. 7. You don't have to prepare money right away when ordering goods. 8. Can guarantee the trustworthiness of the store 9. Create interest in customers. 10. Crowded, From the seller side this system will attract buyers. 11. Many invite interest to buy at the store. 12. Money can go directly to the seller without having to wait for the buyer's confirmation. <p>There is more money when paying the courier.</p>	<ol style="list-style-type: none"> 1. There are higher handling costs 2. Sellers and buyers find it difficult to track the goods sent 3. It's more expensive to use COD 4. Couriers lose time for waiting couriers 5. The seller loses the cost of packing when there is a return of goods 6. Orders that do not match are returned to the courier 7. The courier was hit by a seller's complaint about inappropriate goods

Referring to the analysis above, it can be concluded that there are problems in this COD system, and it is permissible to use this system, related to the benefit in this case it contains more benefits for the party concerned, it's just that from a courier's point of view the courier feels that COD is not very beneficial to him, there is a benefit if when the courier is given excess money back from the buyer, actually the courier also rarely feels any loss because many COD system users want to pay before the order is in the hands of the buyer, if something happens such as the buyer does not want to pay and complains about the goods ordered by the buyer, usually the courier educating, giving directions on how to use a good and correct COD system, if it does happen to the courier these things are usually the first time the buyer is using the shopee or using the COD system.

In the description above, it can also be said that COD at Shopee makes it easier for buyers who find it difficult to pay for what has been ordered at the Shopee market place, such as the Islamic maqosid rule, namely: «Having Difficulty Brings Ease». It is found in the letter al-Baqarah 2:185:

«Allah wants ease for you, and does not want hardship for you».

Based on the explanation that the author has described above, it can be concluded that the practice of payment in the COD system at Shopee is an activity that can cause problems and eliminate harm. It can also be seen that the *maslahah* in the practice of paying using the COD system is by the *maqoshid sharia*, namely *hifdzu mal* because it avoids fraud and reduces the occurrence of fraud on the goods ordered and fosters a sense of security and trust in

the seller, included in the *maslahah hujjiyat* category which if done by humans will get convenience if there is none then humans will have difficulties, because with this system it is easier for people to shop safely and practically, this includes avoiding harm.

It can be said that the practice of cash on delivery at Shopee is in accordance with the concept of *maqoshid sharia* if the benefit should be *dharuriyat*. Transactions using this cash on delivery system provide many benefits and conveniences for the parties and eliminate *kemudharatan* in terms of which can harm themselves such as fraud, doubt, and this cash on delivery system provides a sense of security, practicality, and makes it easy for those who use it, because many use the cash on delivery system to be able to ensure goods, methods of getting simple and practical payments, also because there is no ATM, and do not have an E-wallet.

With this in line with the intention of Imam Al-Gazali, namely the concept of *maslahah* which eliminates evil and brings benefits. Cash on delivery Shopee is in accordance with good buying and selling, which avoids *gharar*, *maisir*, and *usury*, and there are arguments that support it.

Which can be concluded that cash on delivery does not conflict with the *nash* or postulates that have been determined. In buying and selling, there are several types of buying and selling, one of which is with a represented buyer, or buying and selling where the goods to be purchased must be ordered first, this is almost the same as Cash on Delivery.

Cash on delivery at Shopee when viewed in terms of *maslahah* based on the needs and interests included in *maslahah hujjiyah*. *Maslahah hujjiyah* is a benefit that is needed in perfecting the main or

basic benefits which previously took the form of relief to maintain and maintain basic human needs, this secondary need is something that is needed for human life that does not reach the level of dzaruri if this need is not fulfilled in human life, it will not negate or damage life itself. But its existence is to provide convenience in life.

The cash on delivery system occupies a level of *hujjiyah* that is close to *darruriyah*, which is because it is very much needed, and there is convenience in it, bringing benefits, security and benefits to sellers and buyers on this shopee COD system, which makes the COD system on this shopee if it does not exist will bring difficulties to the community in shopping online and can even bring harm to users if there is no COD system, The result is that there are difficulties when shopping online, there are difficulties for people who do not have ATMs, and difficulties for those who have houses far from banks, and if you leave the COD system, it will be difficult for people to shop on the online system. So COD is included in the category of *maslahah hujjiyat* which if done by humans will get convenience if it is not there then humans will experience difficulties, because with this system it is easier for people to shop safely and practically this includes avoiding harm.

Referring to the analysis above, it can be concluded that the *maslahah* in the COD system is allowed to use this system, related to the benefit in this case contains more benefits for the parties concerned, it's just that the courier feels that COD does not really benefit the courier, there are benefits if the courier is given excess change from the buyer, Actually, couriers also rarely feel a loss because many users of the COD system want to pay before the order is in the hands of the buyer, if something happens such as the buyer does not want to pay and complain about the buyer's ordered goods, the courier usually educates, gives directions on how to use a good and correct COD system, if it does happen to the courier these things are usually the first time the buyer uses shopee or uses the COD system.

Although in this problem there is no definite evidence in the Qur'an and hadith, but transactions through COD are indeed to protect the interests and needs of the community and eliminate difficulties or damage to achieve mutual *maslahah*. And when viewed from the effectiveness of COD on Shopee, it contains more *maslahah* and less *mafsadah* and is based on the legal system or the basis of the existing *nash* and *ijma'* provisions, namely eliminating difficulties and bringing benefits and not violating what has been determined by *Shara'*.

In the COD practice that has been described above, this system brings *maslahah* to the parties concerned, and contains many benefits, if it does contain only a small part of the harm, and this system prevents fraud which means preventing harm, which basically buyers are afraid of fraud when shopping online.

It can also be seen that the *maslahah* in the practice of payment using the COD system on the Shopee market place is in accordance with *maqoshid sharia*, namely *hifdzu mal* because it avoids fraud and reduces the occurrence of cheating on ordered goods and fosters a sense of security and trust in the seller, including in the category of *maslahah hujjiyah* which if done by humans will get a benefit if it is not there then humans will have difficulty, because with this system it is easier for people to shop safely and practically this includes avoiding harm.

The method and practice of COD is permissible according to *Shara'*, because this practice clearly uses delivery through an intermediary and this COD practice contains benefits, but if there are benefits and advantages there must also be risks or disadvantages in this COD practice at Shopee, these advantages such as the accuracy of this system makes buyers feel safe and accessible, no need to prepare money that day, no need to go all the way to the ATM to transfer money when busy and when you don't have time to leave your homework, can be done by anyone or can be entrusted to people at home, practically no requirements that trouble the other party, easy to practice, beneficial for most people who shop at the Shopee marketplace.

Conclusion

Cash on delivery at Shopee can be used by every member of the public by looking at the online shop to be visited by activating the COD payment system, then the buyer can order what he will buy, the buyer's COD order will be delivered to the destination address by the courier. If the courier has arrived at the destination address the courier contacts the buyer that the order has arrived at its destination, the buyer must pay for it first then the goods ordered will be given by the courier to the buyer. If the item does not match what was ordered, the buyer can return it or exchange it according to the conditions stated in the store.

The rise of cases that occur between couriers and buyers is caused by the buyer's lack of knowledge of the COD system which often makes the courier have to explain the correct and proper COD

system, as a result the buyer does not pay for his order when the order arrives, and wants to return the goods to the courier, and many buyers complain to the courier about the specifications of the goods that do not match what is in the description of the goods, this case is often experienced by new COD Shopee users, who do not yet know deeply how the COD payment method is on the Shopee Marketplace.

In the COD shop practice that has been analyzed above, it is concluded that this system in the perspective of maqoshid sharia contains masalah or benefits, and avoids difficulties, also this COD system includes maqoshid sharia hujjiyat which if abandoned will get into trouble, or experience difficulties and difficulties, and if it is included in hifdhu al khomsah, COD is included in the hifdhu mal section, namely avoiding fraud.

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